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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/678,170	10/02/2000	Steven D. Kim	MPAT.182CP1	4126

7590

12/09/2003

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EXAMINER

MEKY, MOUSTAFA M

ART UNIT

PAPER NUMBER

2157

DATE MAILED: 12/09/2003

7

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/678,170

Applicant(s)

KIM ET AL.

Examiner

Moustafa M Meky

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 October 2000.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All   b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_                      6) ☐ Other: \_\_\_\_\_

Art Unit: 2157

1. Claims 1-15 are presented for examination.
2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Carcerano (US Pat. No. 6,308,205).
4. As to claim 5, Carcerano shows in Fig 1, a system and a method of managing the configuration of a plurality of geographically (see col 3, lines 60-62, col 5, lines 20-31, col 7, lines 53-55) separated servers (13, 34, 37). Carcerano teaches the steps of:
  - \* storing information related to the configuration of the servers in the database 105 (Fig 4) of the management server 45, see the abstract, lines 4-5, col 2, lines 41-42, col 9, lines 15-21;

Art Unit: 2157

\* routing a predefined subset of the information to a user in a server information web page, see the abstract, lines 10-13, col 2, lines 47-54, col 3, lines 12-13, col 9, lines 47-53;

\* in response to the routing, receiving from a user a request for a configuration change of one of the server 37, see the abstract, lines 13-20, col 2, lines 54-58, col 3, lines 15-17, col 9, lines 34-42; and

\* in response to the request, modifying the server configuration, see col 2, lines 58-61, col 9, lines 39-42, col 10, lines 20-25, lines 61-64, col 11, lines 58-62, col 13, lines 55-57, col 16, lines 1-3. Also, see col 10, col 11, lines 33-67, col 13, lines 37-57, col 14, lines 50-54, col 15, lines 25-40, lines 50-67, col 16, lines 1-6

5. As to claim 6, Carcerano shows the server information web page includes information related to application program parameter configuration (status program of the server), see col 9, lines 49-50, col 10, lines 19-20, lines 50-51;

6. As to claim 7, Carcerano shows entering a request onto the web page and the modification is performed automatically, see col 1, lines 60-67, col 2, lines 1-4.

7. As to claim 8, Carcerano shows the server information web page includes information related to server hardware configuration, see col 13, lines 1-2, col 14, lines 1-3.

8. As to claim 9, Carcerano shows linking to a management contact web page ( within the management server 45, see figs 1 & 4), prior to entering the request, see col 2, lines 12-26, col 3, lines 15-17, col 5, lines 41-43, lines 60-64, col 7, lines 57-58, col 8, lines 1-11, col 9, lines 22-33.

Art Unit: 2157

9. As to claims 1-4 & 10-15, the claims are similar in scope to claims 5-9, and they are rejected under the same rationale.

Therefore, it can be seen from paragraphs 4-9 that Carcerano anticipates claims 1-15.

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Moustafa M. Meky whose telephone number is (703) 305-9697. The examiner can normally be reached on week days from 8:30 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne, can be reached on (703) 308-7562. The fax phone number for this Group is (703) 308-9052.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600. The fax number for official correspondence/amendment is (703) 872-9306.

M.M.M

December 07, 2003

  
MOUSTAFA M. MEKY  
PRIMARY EXAMINER